

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MALIK BOWERS</b> <b>Petitioner</b>  <b>v.</b>  <b>MICHAEL WENEROWICZ, et al.</b> <b>Respondents</b>	: : : : : : :	<b>CIVIL ACTION</b>   <b>NO.. 2:13-cv-05550-BMS</b>  <b>(Habeas Corpus)</b>
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**MOTION FOR EXTENSION OF TIME TO FILE MEMORANDUM IN SUPPORT  
OF PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF HABEAS CORPUS**

Petitioner, Malik Bowers, by his attorney Barnaby C. Wittels, Esquire, respectfully moves the Court for an order granting him an additional 60 days to file a memorandum in support of his Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus, for the following reasons:

1. Petitioner has filed contemporaneously with this motion a timely, first petition under 28 U.S.C. § 2254 for a writ of habeas corpus.
2. Petitioner has just recently completed state court exhaustion of his grounds for relief, with the final order of the Supreme Court of Pennsylvania denying allowance of appeal on his PCRA appeal on September 12, 2013.
3. For the reasons recited in the Petition, pp. 17-18, there remained as of September 12, 2013 only 19 days on the AEDPA statute of limitations for this first habeas.
4. Because of this very short filing window – and given counsel’s pre-existing briefing obligations and other commitments – it has not been possible to complete the preparation of a memorandum of law to file simultaneously with the Petition.
5. The interests of justice will be best served by an adequate briefing of Petitioner’s grounds for relief, and brief extension of time requested will not prejudice the respondents or unduly delay

these proceedings.

WHEREFORE, Petitioner respectfully requests that the Honorable Court grant an additional 60 days to file a memorandum of law in support of his Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus.

/s/bcw 2379

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**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving a copy of the within Motion for Extension of Time to File Memorandum in Support of Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus, upon the following person at the address indicated below, by first class mail:

Thomas Dolgenos, Esquire  
Chief, Federal Litigation Unit  
Philadelphia District Attorney's Office  
Three South Penn Square  
Philadelphia, PA 19107  
215-686-5703

Dated: September 24, 2013

/s/bcw2379  
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FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MALIK BOWERS</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner</b>	:	
<b>v.</b>	:	
	:	<b>NO.</b>
<b>MICHAEL WENEROWICZ, et al.</b>	:	
<b>Respondents</b>	:	<b>(Habeas Corpus)</b>

## ORDER

AND NOW, this                day of                , 2013, upon consideration of  
Petitioner's Motion for Extension of Time to File Memorandum in Support of Petition Under 28  
U.S.C. § 2254 for Writ of Habeas Corpus, it is hereby ORDERED that said motion is GRANTED.  
Petitioner may file a brief in support of the Petition within 60 days of the date of this Order.

BY THE COURT:

, J.